



CITY OF UPLAND
"The City of Gracious Living"

MEETING OF THE CITY COUNCIL

Agenda

Bill Velto, Mayor

Carlos A. Garcia, Mayor Pro Tem - District 3

James Breitling, Councilmember - District 2

Shannan Maust, Councilmember - District 1

Rudy Zuniga, Councilmember - District 4

Michael Blay, City Manager

Stephen P. Deitsch, City Attorney

Keri Johnson, City Clerk

Monday, October 9, 2023

Open session begins at 7:00 p.m.

City Council Chamber

City Hall, 460 N. Euclid Avenue

Residents may observe the City Council meetings remotely via [livestream](#) on the City website, Spectrum Cable TV Channel 3, or Frontier Cable TV Channel 26.

- 1. CALL TO ORDER AND ROLL CALL**
- 2. ADDITIONS-DELETIONS TO AGENDA**
- 3. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

- 4. CLOSED SESSION**
- 5. INVOCATION**

Mike Ingram, Christian Science Faith

- 6. PLEDGE OF ALLEGIANCE**
- 7. PRESENTATIONS**

Proclamation Recognizing November as National Veterans and Military Families Month

Presentation on Resident Use of the City's Reporting Apps

- 8. CITY ATTORNEY**

- 9. ORAL COMMUNICATIONS**

This is a time for any citizen to comment on any item listed or not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of

concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

10. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

Recommended Action:

Approve the Consent Calendar

a. **APPROVAL OF MINUTES**

Recommended Action:

Approve the Regular Meeting Minutes of September 25, 2023. (Staff Person: Keri Johnson)

b. **2ND READING OF ORDINANCE NO. 1982 AMENDING THE ZONING DESIGNATION OF A 7.90-ACRE PARCEL LOCATED AT 1225-1281 W 9TH STREET (APN: 1007-511-09)**

Recommended Action:

Hold second reading by title only, waive further reading, and adopt Ordinance No. 1982, (Zone Change No. ZC-22-0001), amending the Zoning designation of the same 7.90-acre parcel from Commercial/Office Mixed-Use (C/O-MU) to Commercial/Industrial Mixed-Use (C/I-MU). (Staff Person: Robert Dalquest)

c. **CONSIDER APPROVAL OF A LIEN SALES SERVICE AGREEMENT**

CEQA: Not a Project.

Recommended Action:

Approve an agreement with Denco Lien Sales for services related to the sale of vehicles impounded/stored at the Police Department impound lot; and authorize the City Manager to execute the agreement. (Staff Person: Marcelo Blanco)

d. **OFFICE OF TRAFFIC SAFETY MOTORCYCLE SAFETY EDUCATION GRANT MC24012**

CEQA: Not a Project

Recommended Action:

Accept the Office of Traffic Safety Ride to Live Motorcycle Education grant funds (Grant No. MC24012) and authorize the appropriation of the \$24,000 in the Office of Traffic Safety fund. (Staff Person: Marcelo Blanco)

e. **WARRANT AND PAYROLL REGISTER FOR SEPTEMBER 2023**

CEQA: Not a Project.

Recommended Action:

Approve the September warrant registers (check numbers 44954-45294) and direct disbursements totaling \$6,348,513.44 and payroll registers totaling \$1,754,263.45 (check numbers 163496- 163510 and electronic fund transfers 42790-43305. (Staff Person: Stephen

Parker)

- f. CONSIDER APPROVAL OF A CONSTRUCTION CONTRACT FOR SHADE STRUCTURES AT OLIVEDALE PARK

CEQA: Determined to be exempt pursuant to Section 15302, Replacement or Reconstruction and Section 15303, New Construction or Conversion or Small Structures, of the CEQA Guidelines.

Recommended Action:

Approve a construction contract with Innovative Playgrounds, Inc. in the amount of \$220,248.08 for the replacement of the existing picnic shade structure and the addition of a second picnic shade structure at Olivedale Park; authorize an appropriation of \$59,380 in Quimby funds, and authorize the City Manager to execute the contract and provide a 50% deposit to the vendor. (Staff Person: Stephen Parker)

- g. CONSIDER APPROVAL OF AMERICAN RESCUE PLAN ACT FUNDS AND PROGRAM GUIDELINES FOR MICRO-RETAIL RESILIENCY PROGRAM

CEQA: Determined to be Exempt pursuant to Section 15301 of the CEQA Guidelines.

Recommended Action:

Approve the program guidelines relative to funding the Micro-Retail Resiliency Program and authorize a budget adjustment of \$50,000 from American Rescue and Recovery Plan Act funds to fund the Program. (Staff Person: Robert Dalquest)

- h. ACCEPT COMMUNITY PROJECT FUNDING (CPF) GRANT AWARDS FOR FISCAL YEAR 2022 (AGUILAR) AND FISCAL YEAR 2023 (TORRES)

CEQA: Not a Project

Recommended Action:

Accept the Fiscal Year 22 (Aguilar) Community Project Funding Grant award of \$1 Million, and the Fiscal Year 23 (Torres) Community Project Funding Grant award of \$750,000 and appropriate the funds. (Staff Person: Robert Dalquest)

- i. CONSIDER AWARD OF BID FOR DOWNTOWN PARKLETS PROJECT (BID 2023-08)

CEQA: Determined to be categorically exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities) of the CEQA guidelines.

Recommended Action:

Approve the plans and specifications for Project 32337 - Downtown Parklets Improvements; award the construction contract to DASH Construction in the amount of \$1,243,013.56, which includes a 15% contingency; authorize an additional budget allocation of \$350,000 from Quimby funds and authorize the City Manager to execute the agreement and any future extension or amendments within the City Manager's authority. (Staff Person: Braden Yu)

11. PUBLIC HEARINGS

- a. CONSIDERATION OF A PURCHASE AND SALE AGREEMENT FOR CITY OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHINGTON BLVD. AND SIXTH AVE. (APN: 1046-433-25)

The offer from Gibson Construction has been withdrawn and public hearing noticed for October 9, 2023 has been cancelled.

12. COUNCIL COMMITTEE REPORTS

- a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR

CONFERENCE ATTENDANCE

Councilmembers will provide oral reports on any meetings, trainings, or conferences they attended on behalf of the City. This item is for information only.

13. BUSINESS ITEMS

- a. RECEIVE THE INFORMATIONAL REPORT ON THE CITY'S FINANCIAL HEALTH WITH FINANCIAL SCORECARD

CEQA: Not a Project

Recommended Action:

Receive and file the Financial Health Scorecard prepared by Kosmont Financial Services.
(Staff Person: Stephen Parker)

14. COUNCIL COMMUNICATIONS

15. CITY MANAGER

16. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, October 23, 2023.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.uplandca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 909-931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

On October 4, 2023 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall) and the City website at www.uplandca.gov